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TAGS: [PREL](#) [PGOV](#) [PTER](#) [ASEC](#) [MARR](#) [AF](#)  
SUBJECT: PLANNING FOR A FEASIBLE, AFFORDABLE, SUSTAINABLE  
ELECTION SYSTEM

REF: A. KABUL 1007  
[1](#)B. KABUL 1527

SUMMARY

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[1](#)1. (SBU) The high cost and short-lived institutional benefit of Afghanistan's milestone post-Taliban elections underscores the importance of developing a feasible, affordable, and sustainable plan for future elections. The May 1 JCMB endorsed recommendations (drafted by the Embassy Governance Policy Group for the UNAMA-chaired JCMB Technical Working Group) calling for early passage of a new election law, consideration of simplifying the electoral calendar, increased support for the Independent Election Commission, and a decision by August whether, based on the pilot project underway, the proposed Civil and Voter Registry (CVR) meets the "feasible, affordable, sustainable" criteria. Post is working closely with UNAMA and effectively using the JCMB process to ensure decisions are made that lead to an Afghan-owned, Afghan-appropriate, and Afghan-sustainable election system in time for the Presidential elections in [1](#)2009. END SUMMARY.

PAST LESSONS INFORM ELECTION PLANNING

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[1](#)2. (SBU) Afghanistan's previous elections, financed and run largely by the international community, were a hugely significant milestone. They were, administratively speaking, a one-off exercise that contributed little to long-term local capacity to conduct elections. They were also very expensive. The combined costs of the 2004 Presidential and 2005 Parliamentary and Provincial Council elections was \$332 million, including approximately \$20 million in uncovered costs. The USG initially contributed \$100 million to the UNDP project and recently announced our intention to contribute an additional \$4 million to bring the remaining outstanding debt down to \$7 million. As intended, this

recent contribution has been used by UNAMA as leverage to urge other donors, including Japan, to make contributions to finally clear the outstanding balance from the last elections.

¶3. (SBU) This expenditure left behind few material or institutional assets for future elections. The Presidential decree, which provided the legal framework for the last elections, must be replaced by an amended election law. The voter registry was designed to work for the 2004 and 2005 elections but, depending on the new election law, will have to be revised or completely redone for the next elections. While the Independent Election Commission (IEC) performed well in the last elections, it depended largely on temporary international staff. It retained less than 40 percent of its experienced Afghan staff when the IEC went through the Public Administration Reform (PAR) process. Massive investment and capacity building will be required if the IEC is to meet its responsibilities for the upcoming and future elections.

#### JCMB Election Working Group Drives Progress

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¶4. (SBU) Recognizing the challenges involved in planning for the next elections, the Embassy drafted a White Paper on the need for early planning, which was presented to the Fourth session of the Joint Coordination and Monitoring Board (JCMB) in Berlin. This was the catalyst for the JCMB establishing an Elections Working Group (EWG) to consider in greater depth the issues raised in a paper. UNAMA convened the EWG on March 15 in Kabul (ref A) and asked the Embassy to prepare a new White Paper recommending steps to address the issues. The EWG discussed the draft White Paper on April 10, and a

KABUL 00001581 002 OF 004

revised version was approved on April 25. The White Paper was then submitted to the JCMB, where its key findings were accepted on May 1 (ref B).

¶5. (SBU) The White Paper framed a JCMB decision that "Urgent efforts, including by the Elections Working Group, are required so that within the next five months, the electoral cycle is simplified and rationalized, electoral system issues resolved, financial resources secured, and appropriate legal changes undertaken" (ref B). The JCMB White Paper calls for three types of measures: reforming the legal framework; building electoral capacity; and assessing the Civil and Voter Registry (CVR) mandated in the Afghanistan Compact as a feasible, affordable, and Afghan-sustainable vote registration vehicle.

#### REFORMING THE LEGAL FRAMEWORK

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##### The Election Law:

¶6. (SBU) The JCMB White Paper flagged that, under the Afghan constitution, the revised election law must be finalized a year before the next elections, thus by March 2008. The Ministry of Justice and the Cabinet are currently consulting with parliamentary representatives as to which version of the draft law prepared by the Independent Election Commission (IEC) will be submitted to parliament. (NOTE: One version calls for a mixed system, including some seats chosen by Single Non-Transferable Voting (SNTV) system and other seats chosen by Proportional Representation (PR) based on closed lists. The other version would consist of only SNTV seats. It is our understanding that the parliament will most likely consider the mixed-system proposal. END NOTE.) Recognizing that decisions on the electoral law belong to the Government of Afghanistan, the JCMB is urging donors to press the government to promptly adopt a feasible electoral system and to encourage the IEC to develop an electoral timeline and to identify priorities for action.

##### The Election Calendar:

¶17. (SBU) The JCMB White Paper also recommended considering the possible rationalization of the electoral calendar to provide for a more fiscally sustainable electoral cycle. Concern with administrative and security costs lay behind this recommendation, which has strong support from UNAMA and ISAF. The paper points out that the election calendar based on the Afghan Constitution requires 69 elections over the next 30 years, excluding village elections. The IEC sent to the Cabinet three proposals which would harmonize the 2009 Presidential and 2010 parliamentary elections. The first would lengthen the Presidential and Provincial Council terms to fall in line with the National Assembly election in Fall 2010. The second would shorten the National Assembly term to correspond with the Presidential and PC elections in Spring 2009. The third would lengthen the Presidential term by six months and shorten the National Assembly term by six months to hold all three elections in mid to late 2009.

¶18. (SBU) The Ambassador intervened at the JCMB meeting on May 1 to highlight that, while the U.S. supported simplification and appreciated the financial considerations behind the proposal to merge elections, holding bi-elections had the democratic benefit of forcing leaders to "check in" with the voter more frequently. He said the U.S. could not support the argument that the people of Afghanistan only deserve as much democracy as they can afford. The U.S. is thus on record as being interested in carefully reviewing any proposal to merge elections not only from the point of view of efficiency, but also of democracy.

KABUL 00001581 003 OF 004

¶19. (SBU) Any change in the election calendar would require a change in the Afghan Constitution and thus depends on agreement between President Karzai and the parliament. Karzai has stated that he will not agree to lengthen his mandated term. The parliament can be expected to resist shortening its term. More fundamentally, opponents to the proposal are arguing that a constitutional change will require a Loya Jirga, which could open up the possibility of much wider constitutional changes. President Karzai will not agree to a Loya Jirga. While UNAMA continues to focus on the issue of simplifying the election calendar, we share wide skepticism that it will in fact happen and are prepared to argue that there are better ways to save money.

#### BUILDING IEC CAPACITY

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¶10. (SBU) The IEC is the Afghan institution responsible for the conduct of elections, including drafting of the law, organizing the elections, and supporting voter education. It faces the challenge of opening additional provincial offices and training new staff. As noted in the JCMB White Paper, it has so far established offices in 29 of the 34 provinces, but some provincial governors have been slow to provide facilities. Security concerns have prevented offices from opening in several southern provinces. Staffing gaps and lack of experience point to the need for training and capacity building. The UNDP ELECT project is designed to support building capacity of the IEC, but has so far received only \$2.4 million of the \$4.9 million budgeted for the project. The White Paper recommends that donors make this project a priority and calls on the GoA to increase its financial support to the IEC. USAID has a two-year, \$7 million contract with IFES for IEC capacity building, and supports additional elections capacity-building projects through The Asia Foundation. USAID is also looking at providing additional money to the UNDP ELECT program to support training in the IEC provincial offices.

#### CIVIL AND VOTER REGISTRY (CVR)

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¶11. (SBU) The Afghanistan Compact includes a benchmark for

the establishment of a combined Civil and Voter Registry (CVB) by 2008. The rationale for a combined registry reflects the assumption made in London that the two registries are similar and that a combined list would result in cost savings. UNDP is responsible for a pilot project to test a relatively high-tech CVR model that depends on the IEC working with the Ministry of Interior (which would develop a civil registry) and the Ministry of Finance (to print bio-metric national ID cards using either facial recognition or iris scanning technology). Under the current proposal, these cards would be required of all Afghans as the only form of acceptable voter identification. Some experts assert that such a system would be necessary to assign individual voters to specific polling stations and protect against fraud. Others highlight the costs of implementing such a system and the challenges and costs of maintaining it.

¶12. (U) After several delays, the CVR pilot project in three provinces is underway and is scheduled to be completed by early August. The pilot will cost about \$400,000. There is widespread donor skepticism over the feasibility, affordability, and sustainability of the CVR, as envisioned by UNDP. The JCMB decided on May 1 that the pilot project should be used to determine whether to continue to implement the combined CVR project or to move to a simpler and less expensive voter registration system. The assessment will be made prior to the September 2007 JCMB meeting, and the Elections Working Group will be considering alternative models in the meantime. While this would require a

KABUL 00001581 004 OF 004

modification of the Compact benchmark, it is within the JCMB's authority to make such amendments.

¶13. (SBU) The Embassy was the prime mover behind the decision to take a hard look at the CVR. We are convinced that movement toward a simpler system will not only save significant amounts of money (which could be redirected to the IEC and especially voter education) but also produce a registry which would be more easily sustained by the GOA over time. A simple system that is well maintained and implemented does far more to reinforce support for elections than a complicated system that is expensive and difficult to maintain and implement.

COMMENT

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¶14. (SBU) Working closely with UNAMA and using White Papers to shape the debate has allowed us to guide the discussion on elections preparations in the JCMB. There is, at present, broad donor consensus on the need to support a feasible, affordable, and Afghanistan appropriate system. The Embassy will continue to work with the IEC and Afghan Government to move this agenda forward, as well as with other donors in Kabul to coordinate assistance. END COMMENT.

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